

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

EDWARD HERRERA	§	
VS.	§	CIVIL ACTION NO. 9:20cv43
LORIE DAVIS	§	

INITIAL PARTIAL FILING FEE ORDER

Parties instituting any civil action, suit or proceeding are required to pay a filing fee of \$350.00 if they are granted leave to proceed *in forma pauperis*. In this action, plaintiff has filed a motion to proceed *in forma pauperis*. The Prison Litigation Reform Act of 1996 (PLRA) requires prisoners seeking to bring civil actions *in forma pauperis* to pay an initial partial filing fee. The Act further requires prisoners thereafter to pay the balance of the full filing fee. It is accordingly

**ORDERED** that:

1. Plaintiff's motion to proceed *in forma pauperis* (doc. no. 2) is **GRANTED**. The Clerk shall file plaintiff's pleadings without prepayment of the filing fee.

2. An initial partial filing fee of \$24.67 shall be paid to the Clerk within thirty (30) days from the date set forth below.<sup>1</sup> Upon receipt of the initial partial filing fee, the Court, as required by the PLRA, will order the agency having custody of plaintiff to make monthly withdrawals from plaintiff's inmate account and forward them to the Court until the balance of the full filing fee is paid.

3. Plaintiff is responsible for timely payment of the initial partial filing fee. Plaintiff is notified that the Clerk's Office no longer accepts cash as a form of payment at any office within the Eastern District of Texas. Only checks or credit card payments will be accepted. If payment will be made from plaintiff's inmate trust account, plaintiff shall execute all consents and other

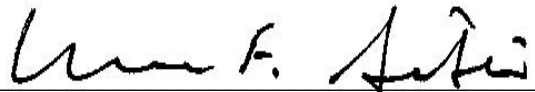
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<sup>1</sup> Plaintiff's average deposits for the preceding six month period were \$123.33. Twenty percent of \$123.33 is \$24.67.

documents required by the agency having custody of plaintiff to authorize the necessary withdrawals from plaintiff's inmate account.

4. Failure to pay the initial partial filing fee or to show that plaintiff has insufficient assets or means to pay the initial partial filing fee within 30 days may result in dismissal of plaintiff's complaint without further notice.

**SIGNED this the 23rd day of November, 2020.**

A handwritten signature in black ink, appearing to read "Keith F. GIBLIN", written over a horizontal line.

KEITH F. GIBLIN

UNITED STATES MAGISTRATE JUDGE